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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

**OREGON INTERNATIONAL AIR FREIGHT
CO.**, an Oregon corporation; **OIA GLOBAL
LOGISTICS-SCM, INC.**, an Oregon
corporation,

Plaintiffs,

v.

**HEIDI BASSANO; MARIE BOVEY; LLOYD
BURKE; OLIVER BURKE; CHRISTOPHE
ESAYIAN; KIMBERLY KOMACKI;
MICHAEL LEHNERT; RAUL LUCENA;
MIKE RIZZO; TODD SWEENEY;
WILLIAM YANKOW; and DOES 1-20,**

Defendants.

Case No. 3:21-cv-01480-SB

**STIPULATION TO SEVER CLAIMS AND
TRANSFER VENUE PURSUANT TO
FED. R. CIV. P. 21 AND 28 U.S.C. §
1404 AS TO DEFENDANT WILLIAM
YANKOW ONLY**

WHEREAS, this Action was filed by Plaintiffs Oregon International Air Freight Co. and OIA Global Logistics-SCM, Inc. (collectively, "OIA") against Defendant William Yankow ("Yankow"), among others, in the United States District Court for the District of Oregon, Portland Division, on October 8, 2021;

WHEREAS, pursuant to a forum selection clause in Yankow's employment agreement with Oregon International Air Freight Co., the claims against Yankow might have been brought in the United States District Court for the Northern District of Ohio, Eastern Division;

WHEREAS, counsel for Yankow and OIA have met and conferred regarding the severance and transfer of the claims against Yankow to the United States District Court for the Northern District of Ohio under Federal Rule of Civil Procedure 21 and 28 U.S.C. §1404;

NOW, THEREFORE, Yankow and OIA, by and through their respective counsel, each hereby stipulates and agrees to the entry of an Order severing and transferring the claims against Yankow only from the United States District Court for the District of Oregon, Portland Division, to the United States District Court for the Northern District of Ohio, Eastern Division, per 28 U.S.C. §1404(a); and Yankow and OIA request that an Order be entered directing the Clerk of Court for the United States District Court for the District of Oregon to forward the filings in this Action to the Clerk of Court for the United States District Court for the Northern District of Ohio; and

IT IS HEREBY FURTHER STIPULATED and agreed that the severance and transfer of the claims against Yankow: i) shall not alter, abrogate, or affect in any way the rights or claims of OIA alleged against any other individual defendant in this Action; and ii) shall not alter, abrogate or affect any rights or claims/defenses between OIA and Yankow; and

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IT IS HEREBY FURTHER STIPULATED that Yankow and OIA shall bear their own respective fees and costs relating to the transfer of venue to be effected pursuant hereto.

SO STIPULATED:

DATED: February 16, 2022.

K&L GATES LLP

BODYFELT MOUNT LLP

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Attorneys for Defendant William Yankow

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ORDER

The Court has reviewed the reasons offered in support of entry of this Stipulation to Sever Claims and Transfer Venue Pursuant to Fed. R. Civ. P. 21 and 28 U.S.C. § 1404 as to Defendant William Yankow Only and finds that there is good cause to sever and transfer the claims against Defendant William Yankow only to the U.S. District Court for the Northern District of Ohio, Eastern Division. This severance and transfer of the claims against Yankow: i) shall not alter, abrogate, or affect in any way the rights or claims of OIA alleged against any other individual defendant in this Action; and ii) shall not alter, abrogate or affect any rights or claims/defenses between OIA and Yankow.

IT IS SO ORDERED.

DATED: February 17, 2022



Hon. Stacie F. Beckerman
U.S. Magistrate Judge